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November 6, 2006

BY UPS NEXT-DAY DELIVERY

Ms. Kedari Reddy, Assistant Regional Counsel
Office of Regional Counsel – Region II
U.S. Environmental Protection Agency
290 Broadway – 17th Floor
New York, New York 10007-1866

RE: USEPA Request for Information – Lower Passaic River Study Area
Supplemental Response

Dear Ms. Reddy:

I am writing on behalf of El Paso Tennessee Pipeline Company, formerly known as Tenneco Inc., in response to your letter dated February 27, 2003, directed to Tenneco Inc. located in Lake Forest, Illinois. This letter supplements our prior response dated April 8, 2003. Please be advised, as with the previous response, that the address of the respondent is 1001 Louisiana Street, Houston, Texas 77002, not the address to which your original letter was mailed. We have no current affiliation with the Tenneco that is headquartered at the Illinois address.

El Paso Tennessee Pipeline Company (EPTP) has located additional information regarding the facility that was the subject of your February 27, 2003 letter, and supplements its prior response as follows:

GENERAL OBJECTIONS

1. EPTP objects to EPA's Request to the extent it calls for information protected by the attorney/client privilege, attorney work product doctrine or any other applicable legal privileges.
2. EPTP objects to the Instructions to the extent they purport to require EPTP to obtain information from persons or places beyond EPTP's custody or control, such as former employees/agents.
3. EPTP objects to the Requests to the extent they call for a legal opinion or conclusion. By providing information in response thereto, EPTP does not admit to any legal allegations or legal characterizations contained in the questions.
4. By responding to this Request, EPTP does not admit EPA's authority to issue such request, nor shall EPTP's decision to respond be considered an admission of liability for any purpose.

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5. By responding to this Request, EPTP does not admit, and expressly denies, that it was ever the owner or operator, or is the successor to, the owner or operator of the facility that is the subject of EPA's Request, located at 374 Main St., Belleville, N.J. ("Belleville Facility" or "Facility").

SPECIFIC RESPONSES – SUPPLEMENT TO APRIL 8, 2003 RESPONSE

- 3) Did your company receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances (List omitted).

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answer to this question, nor has any employees with knowledge of the operations conducted at the Belleville Facility. Accordingly, EPTP cannot answer this question, except by noting that documentation located in files of the former Tenneco Chemicals, Inc. suggests that the following substances may have been present at the Belleville Facility at the time it was operated by Tenneco Chemicals, Inc.: oil, phenol, sulfuric acid, lead (lead sulfate; lead nitrate), mercury, iron, copper, nickel, chromium, zinc chloride, sodium hydroxide, naphthalene, ferric chloride.

- 4) a) Provide a description of the manufacturing processes for which all hazardous substances, including, but not limited to, the substances listed in response to item (3), were a product or by-product.

b) During what parts of the manufacturing processes identified in the response to items (4)(a), above, were hazardous substances, including, but not limited to, the substances listed in response to item (3), generated?

i) Describe the chemical composition of these hazardous substances.

ii) For each process, what amount of hazardous substances was generated per volume of finished product?

iii) Were these hazardous substances combined with wastes from other processes? If so, wastes from what processes?

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answer to this questions, nor has any employees with knowledge of the operations conducted at the Belleville Facility. EPTP is not sufficiently familiar with the manufacturing operations to respond to the questions above, which call for expert opinions. Information responsive to this question with respect to the period of time the Facility was operated by Tenneco Chemicals, Inc. may be determined by reference to the documents attached to this Response.

- 5) Describe the methods of collection, storage, treatment, and disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4). Include information on the following:

- a) Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.
- b) If hazardous substances were taken off-site by a hauler or transported, provide the names and addresses of the waste haulers and the disposal site locations.
- c) Describe all storage practices employed by your company with respect to all hazardous substances from the time operations commenced until the present. Include all on-site and off-site storage activities.
 - i) If drums were stored outside, were the drums stored on the ground or were they stored on areas that had been paved with asphalt or concrete? Please provide a complete description of these storage areas.
 - ii) When drums were stored outside, were empty drums segregated from full drums?
- d) What processes do you use to treat your waste? What do you do with the waste after it is treated?

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answer to this questions, nor has any employees with knowledge of the operations conducted at the Belleville Facility. Information responsive to these questions with respect to the period of time the Facility was operated by Tenneco Chemicals, Inc. may be determined by reference to the documents attached to this Response.

- 6) a) For process waste waters generated at the facility which contained any hazardous substances, including, but not limited to, the substances listed in response to item (3) and (4):
 - i) Where was the waste water discharged and during what years?
 - ii) Was the waste water discharged into a sanitary sewer and if so, during what years?
 - iii) Was the waste water treated before being discharged to the sanitary sewer and if so, how? Please be specific.
 - iv) If the waste waters were not discharged to the sanitary sewer, where were they disposed and during what years?
 - v) Please provide the results of any analyses performed on any waste process streams generated at the facility.
- b) For floor drains or other disposal drains at the facility:
 - i) Did the drains connect to a sanitary sewer and if so, during what years?

ii) If the floor drains or other disposal drains at the facility were not discharged to the sanitary sewer, where did they discharge and during what years?

c) i) Did any storm sewers, catch basins or lagoons exist at any time at the facility and if so, during what years?

ii) If catch basins or lagoons existed, were they lined or un-lined?

iii) What was stored in the lagoons?

iv) Where was the discharge from any of these structures released and during what years? Was this discharge treated before its release and if so, how and during what years? What was the chemical composition of any waste waters released?

d) Please supply diagrams of any waste water collection, transport or disposal systems on the property.

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answers to these questions, nor has any employees with knowledge of the operations conducted at the Belleville Facility. Information responsive to this question with respect to the period of time the Facility was operated by Tenneco Chemicals, Inc. may be determined by reference to the documents attached to this Response. From review of documents, it appears that the Belleville Facility discharged process wastewater and floor drainage to the local publicly owned treatment system's sewer during the period of operation by Tenneco Chemicals, Inc. The wastewater may have been subject to treatment by neutralization. EPTP also understands, by review of documents, that stormwater may have been collected and discharged through one or more storm sewers. EPTP has no information of any lagoons at the Facility during the period of Tenneco Chemicals, Inc.'s operations.

7) a) For each hazardous substance, including, but not limited to, the substances listed in response to item (3) or identified in the responses to item (4), above, provide the total amount generated during the operation of the facility on an annual basis.

b) Were any hazardous substances, including, but not limited to, the substances listed in response to item (3) or identified in the responses to item (4), above, disposed of in the Passaic River or discharged to the Passaic River? If yes, identify the hazardous substances, estimate the amount of material discharged to or disposed of in the Passaic River and the frequency with which this discharge or disposal occurred. Also please include any sampling of the river which you might have done after any discharge or disposal.

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answer to this questions (other than understanding from the documents that the Belleville Facility's building drains were routed to the local publicly owned treatment works and stormwater runoff to storm drains), nor has any employees with knowledge of the operations conducted at the Belleville Facility. EPTP does not know the answer to these

questions, which may call for expert opinion, however information responsive to these questions may be present in the documents attached to this Response.

8) Please identify any leaks, spills, explosions, fires or other incidents of accidental material discharge that occurred at the facility during which or as a result of which any hazardous substances, including, but not limited to, the substances listed in response to item (3) or (4), were released on the property, into the waste water or storm drainage system at the facility or to the Passaic River. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.

a) Please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up. Please provide in this information all sampling performed for or by NJDEP.

No information.

9) a) Was your facility ever subject to flooding. If so, was the flooding due to:

i) overflow from sanitary or storm sewer back-up, and/or

ii) flood overflow from the Passaic River?

b) Please provide the date and duration of each flood event.

EPTP never owned or operated the Belleville Facility, has no personal knowledge of the answer to this question, nor has any employees with knowledge of the operations conducted at the Belleville Facility. EPTP objects to reference to the Belleville Facility as "your facility." Without waiving and subject to this objection, EPTP has no information.

10) Please provide a detailed description of any civil, criminal or administrative proceedings against your company for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

EPTP objects to this question as overbroad and beyond the authority of EPA under CERCLA to the extent it is not limited to proceedings relating to the Facility that is the subject of this Request. EPTP also objects to the vague and undefined term "proceedings." Without waiving and subject to this objection, EPTP never owned or operated the Belleville Facility and was never subject to any civil, criminal or administrative proceedings relating to this Facility. It appears from documents that Tenneco Chemicals, Inc. was party to some activities of the Passaic Valley Sewerage Commission pertaining to claims of water pollution in the vicinity of the Belleville Facility. Non-privileged documents pertaining to those activities are attached to this Response.

11) Provide a copy of each document which relates to the generation, purchase, use, handling, hauling, and/or disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) or (4). If you are unable to provide a copy of any document, then identify the document by describing the nature of the document (e.g. letter, file memo, invoice, inventory form, billing record, hazardous waste manifest, etc.). Describe the relevant information contained therein. Identify by name and job title the person who prepared the document. If the document is not readily available, state where it is stored, maintained, or why it is unavailable.

EPTP objects to this question as overbroad and burdensome, not designed to address the scope of information authorized under 42 U.S.C. § 9604(e)(2)(A) – (C).. In particular, it is not limited to material that released or threatened to be released to the Lower Passaic River Study Area from the Belleville Facility. A limited number of documents from the period of operation of the Facility exist, and those documents referenced in responses to the specific questions posed in this Request have been attached. Additional documents are available for review and copying, upon request, at the offices of EPTP, subject to the General Objections above.

12) a) Did you or anyone else sample the soil, ground water, surface water, ambient air or other environmental media at the facility for purposes other than those identified in questions above?

b) If so, please provide all other documents pertaining to the results of these analyses.

No information.

13) Provide the name, address, telephone number, title and occupation of the person(s) answering this “Request for Information” and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the “Request for Information” and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

Respondent objects to the extent this calls for protected attorney work product or attorney-client communication. Respondent further objects to this question as burdensome and harassing and beyond the scope of the United States’ information gathering authority under CERCLA.

Subject to and without waiving this objection, the following former employee of Tenneco Chemicals, Inc. was contacted: W. Pat Anderson, 2600 Barracks Rd., C-22, Charlottesville, Virginia 22901.

The following persons assisted in gathering the information necessary to respond to this Request for Information. Because the events and corporate transactions in question generally date to the 1960s and at the latest 1980s, these individuals do not have personal knowledge of Tenneco Chemicals, Inc.’s ownership or operation of the Facility:

Elizabeth Cates, Paralegal

The person answering this Request for Information is:

Kimberly Lesniak, Associate General Counsel

Please contact the undersigned at (713) 420-4855 if you have any questions regarding this supplemental response. The documents referenced in this response have been imaged and Bates stamped and are on the attached disk. If you have any problems viewing the images, or you need assistance obtaining copies of the documents, please let me know.

Very truly yours,

A handwritten signature in black ink that reads "Kimberly Lesniak". The signature is written in a cursive, flowing style.

Kimberly Lesniak
Associate General Counsel

Encl.

OU 0 SECTION 8.1.2
FREELINE El Paso Corp.

SITE_ID

SITENAME

NJD980528996

Diamond Alkali Co.

The disk entitled:

Supplemental Response to USEPA Request for Information/attached to the letter from K. Lesniak, El Paso Tennessee Pipeline Co. (formely Tenneco Inc.) to K. Reddi, EPA

Document Date: 11/ 6/2006 Disk Date: 11/ 6/2006

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